

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA	:	<u>ORDER</u>
-v.-	:	22 Cr. 93 (JMF)
LANAIR MILTON,	:	
Defendant.	:	

- - - - -x

WHEREAS the Court issued a decision in the above-referenced matter on August 12, 2022, entered on the same date at Docket No. 41;

WHEREAS the United States of America, by and through Damian Williams, United States Attorney, Joshua A. Naftalis, Assistant United States Attorney, of counsel, has requested an extension of the 30-day deadline within which to file a Notice of Appeal of that decision as required by Federal Rule of Appellate Procedure 4(b)(1)(B)(i) and 18 U.S.C. § 3731;

WHEREAS Federal Rule of Appellate Procedure 4(b)(4) provides that "[u]pon a finding of excusable neglect or good cause, the district court may -- before or after the time has expired, with or without motion and notice -- extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b)";

WHEREAS the Government requests the extension to enable

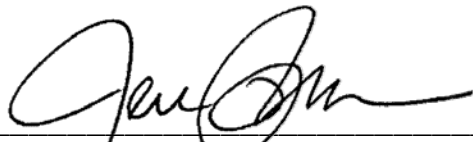
the Solicitor General to review the Court's decision and determine whether to appeal the decision;

WHEREAS the Court finds that the Government has demonstrated good cause to extend the time to file a notice of appeal for 30 days;

IT IS HEREBY ORDERED that the Government's deadline to file a notice of appeal is extended by 30 days, until and including October 11, 2022;

IT IS FURTHER ORDERED that the Court excludes time under the Speedy Trial Act between today and October 11, 2022, finding that the interest in excluding such time outweighs the Defendant's and the public's interests in a speedy trial because it will enable the Solicitor General to review the Court's decision and determine whether to appeal the Court's August 12, 2022 decision.

Dated: New York, New York  
September 9, 2022

  
\_\_\_\_\_  
THE HONORABLE JESSE M. FURMAN  
UNITED STATES DISTRICT JUDGE